

PROB 12C  
(Rev. 2/13)

# UNITED STATES DISTRICT COURT

for

## DISTRICT OF NORTH DAKOTA

### Petition for Warrant or Summons for Offender under Supervision

Name of Offender: Mychal Jesse Mann Case Number: 0868 1:17CR00226

Name of Sentencing Judicial Officer: Daniel L. Hovland, U.S. District Court Judge

Date of Original Sentence: September 5, 2018

Original Offense: Domestic Assault by a Habitual Offender

Original Sentence: 30 months imprisonment; 36 months supervised release

Type of Supervision: TSR Date Supervision Commenced: 11/10/2020

Asst. U.S. Attorney: Jonathan J. O'Konek Defense Attorney: Carey A. Goetz

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#### PETITIONING THE COURT

- To issue a warrant
- To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation No.</u>	<u>Nature of Noncompliance</u>
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- 1) On December 22, 2020, the defendant tested positive for marijuana and admitted to the use of the illicit substance. *This is in violation of special condition number three (3) which states you must totally abstain from the use of alcohol and illegal drugs.*
- 2) On January 13, 2021, February 01, 2021, and February 09, 2021, the defendant provided a drug screen which was considered diluted by Abbott Toxicology. *This is in violation of special condition five (5) which states you must submit to drug/alcohol screening as directed and tampering with the collection process or specimen may be considered a the same as a positive test result.*
- 3) On February 09, 2021, February 17, 2021, and March 10, 2021, the defendant provided a drug screen which was positive for methamphetamine, this was confirmed by Abbott Toxicology. *This is in violation of special condition number three (3) which states you must totally abstain from the use of alcohol and illegal drugs.*

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- 4) On May 10, 2021, the defendant admitted to having consumed alcohol for approximately three days. *This is in violation of special condition number three (3) which states you must totally abstain from the use of alcohol and illegal drugs.*
- 5) The defendant was required to report on May 14, 2021 to Centre in Fargo, ND for residential re-entry center placement. Upon his arrival he was administered a breathalyzer which read a BAC of .326. He admitted to Centre staff to having drank approximately two 1 liter bottles of alcohol. Mann was transported to the local hospital to be medically cleared. *This is in violation of special condition number three (3) which states you must totally abstain from the use of alcohol and illegal drugs.*
- 6) On August 02, 2021, the defendant was arrested by Ward County Sheriff's Department for DUI Refusal, a Class B Misdemeanor (Case No. 51-2021-CR-01253). This matter is still pending. *This is in violation of the mandatory conditions of supervised release stating you must not commit another federal, state or local crime.*

U.S. Probation Officer Recommendation: It is respectfully recommended a warrant be issued for the arrest of Mychal Jesse Mann and hearings be held to determine if he violated the terms and conditions of his supervised release.

- The term of supervision should be:
- Revoked.
- Extended for \_\_\_\_\_ years, for a total term of \_\_\_\_\_ years.
- The conditions of supervision should be modified as follows:

I declare under penalty of perjury that the foregoing is true and correct.

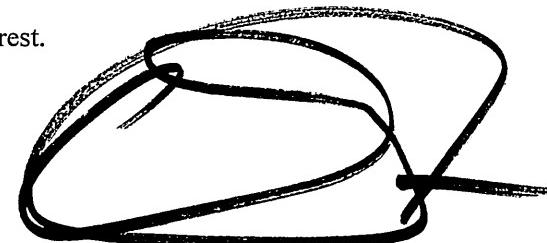
Executed on August 3, 2021

/s/ Travis J. Dienslak  
U.S. Probation Officer

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THE COURT ORDERS:

- No Action.
- The Issuance of a Warrant/Matter Sealed Pending Arrest.
- The Issuance of a Summons.
- Other



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Signature of Judicial Officer

3 Aug. 2021

Date